

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ERNESTINE WELCH,

Plaintiff,

v.

BIOREFERENCE LABORATORIES, INC.,

Defendant.

ECF CASE

Civil Action No. 1:19-cv-00846 (BKS) (DJS)

ORDER

THIS MATTER having come before the Court upon the application of Faegre Drinker Biddle & Reath LLP, attorneys for defendant BioReference, Inc. (“BioReference”), pursuant to Rule 5.3 of the Local Rules of Practice of the United States District Court for the Northern District of New York, for an Order granting BioReference leave to file under seal certain settlement documents and information protected from disclosure under those settlement documents, in connection with BioReference’s opposition to plaintiff Ernestine Welch’s objection to the withholding taken from her settlement payment (ECF No. 34); and

The Court having considered this application and determined that sealing is appropriate given that the parties entered into a private settlement and agreed to confidentiality; given that both parties consent to the application; given that, under the circumstances, confidentiality is expressly authorized by Section 5003-B of the New York Civil Practice Law and Rules and Section 5-336 of the New York State General Obligations Law; and given that confidentiality in this context supports and encourages amicable resolutions of disputed matters; and upon consideration of the submissions of the parties, and for good cause shown

It is on this ____ day of _____, 2021,

ORDERED as follows:

1. BioReference’s motion be and hereby is granted;

2. BioReference may file under seal the Agreement Memorializing Confidentiality and Non-Disparagement Preferences (the “Confidentiality Agreement”) entered into between Ms. Welch and BioReference;
3. BioReference may file under seal the Settlement Agreement and General Release (the “Settlement Agreement”) entered into between Ms. Welch and BioReference; and
4. BioReference may redact and file under seal information that the parties agreed in the Confidentiality Agreement or the Settlement Agreement to keep confidential.

THE HONORABLE BRENDA K. SANNES, U.S.D.J.